

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

- v. -

EDWARD GARDNER,
a/k/a "Alex," and
KENROY GLADDEN,
a/k/a "Michael Richardson,"
a/k/a "Smiley,"

Defendants.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED

DATE FILED: DEC 27 2007

INDICTMENT

07 Cr.

07CRIM1229COUNT ONE

The Grand Jury charges:

1. From at least in or about 2006, up to and including in or about October 2007, in the Southern District of New York and elsewhere, EDWARD GARDNER, a/k/a "Alex," and KENROY GLADDEN, a/k/a "Michael Richardson," a/k/a "Smiley," the defendants, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that EDWARD GARDNER, a/k/a "Alex," and KENROY GLADDEN, a/k/a "Michael Richardson," a/k/a "Smiley," the defendants, and others known and unknown, would and did distribute and possess with intent to distribute a controlled substance, to wit, 50 grams and more of mixtures and substances containing a detectable amount of cocaine

base, in a form commonly known as "crack," in violation of Title 21, United States Code, Sections 812, 841(a)(1) and 841(b)(1)(A).

Overt Acts

3. In furtherance of said conspiracy and to effect the illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about October 3, 2007, EDWARD GARDNER, a/k/a "Alex," the defendant, was in possession of, among other things, approximately 150 grams of crack cocaine, an electronic scale with crack residue, and a loaded 9 millimeter firearm, in his residence in the Bronx, New York;

b. On or about September 29, 2007, KENROY GLADDEN, a/k/a "Michael Richardson," a/k/a "Smiley," the defendant, delivered approximately 25 grams of crack cocaine to a co-conspirator not named as a defendant herein ("CC-1"), who in turn sold it to an undercover police officer in the Bronx, New York.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, EDWARD GARDNER, a/k/a "Alex," and KENROY GLADDEN, a/k/a "Michael Richardson," a/k/a "Smiley," the defendants, shall forfeit to the United

States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds the said defendants obtained directly or indirectly as a result of the said violation and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the violation alleged in Count One of this Indictment, including but not limited to a sum in United States currency representing the amount of all proceeds obtained as a result of the controlled substance offense alleged in Count One of the Indictment, for which the defendants are jointly and severally liable.

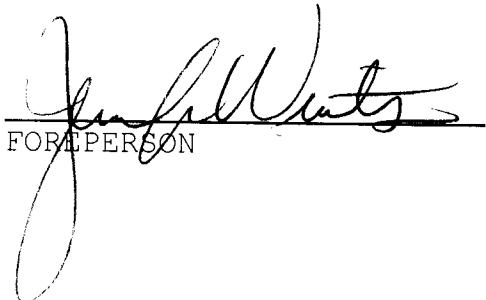
Substitute Asset Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants --

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Sections 841(a)(1), 846 and 853.)



Frank Wats
FOREPERSON



Michael J. Garcia
MICHAEL J. GARCIA
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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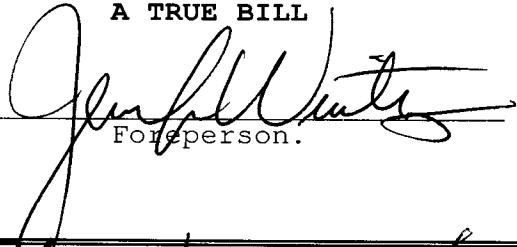
INDICTMENT

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(Title 21, United States Code,
Section 846)

MICHAEL J. GARCIA
United States Attorney.

A TRUE BILL


Foreperson.

12/27/07 F/D for Part II of the case is
assigned to Judge Robert for all purposes
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mag. Judge Polking